

DOCKET NO: 248863US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KATSUYUKI TANAKA ET AL : EXAMINER: JOY KIMBERLY CONTEE
SERIAL NO: 10/779,628 :
FILED: FEBRUARY 18, 2004 : GROUP ART UNIT: 9110
FOR: RANGING AND POSITIONING :
SYSTEM, RANGING AND POSITIONING
METHOD, AND RADIO
COMMUNICATION APPARATUS

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the US PTO Notice of Abandonment dated November 30, 2007,
Applicants, through counsel of record, respectfully request that the holding of abandonment
for the above-identified application be withdrawn due to the fact that the “e-notification”
containing the Notice of Allowance was not sent. The facts concerning this matter are as
follows:

Upon receipt of the Notice of Abandonment, Applicant’s representative’s checked
their relevant records and Private PAIR. Applicant’s representative also spoke with members
of the Electronic Business Center who confirmed that a programming problem at their end
caused the e-notification for this notice of allowance not to be sent. In addition, they
confirmed that the reminder post card was not sent as evidenced by the transaction history in
the case in PAIR.

Application No. 10/157,904
Inventors: Tetsuro MOTOYAMA, et al.
Petition to Withdraw Holding of Abandonment Based
on Failure to Receive Notice of Allowance Dated February 27, 2007

A telephone conversation with Mr. Robert Clarke of the U.S.P.T.O. resulted in Mr. Clarke advising that this information, combined with the fact that the E-Notification Program is still in Beta, would be sufficient showing for this type of petition to be granted.

In light of the foregoing, it is requested that the holding of abandonment be withdrawn and a new Notice of Allowance be issued.


The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

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